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PATENT APPLICATION

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In re the Application of

RECEIVED

Yoseph KOLTUNOV et al.

AUG 08 2001

Application No.: 09/530,758

OFFICE OF PETITIONS

Filed: May 4, 2000

Docket No.: 106153

For: DETERMINATION AND RECOGNITION OF OBJECTS BY MULTISPECTRAL
SENSING

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT RECEIVED

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

09 JUL 2001

Legal Staff
International Division

Sir:

On June 15, 2001, Applicants received a Notification of Abandonment in the above-identified application. The Notification indicated that the application is abandoned for failure to respond to the Decision mailed February 26, 2001. Because Applicants believe that the Notification was issued in error, and because Applicants did respond to the subject Decision, Applicants respectfully request that the Notification of Abandonment be withdrawn.

On November 30, 2000, Applicants submitted a Petition under 37 C.F.R. §1.47(a) because one of the inventors, Mr. Joseph Koltunov, had refused to sign the Declaration for this application. In support of that petition, the following additional information was submitted for consideration by the Patent Office:

1. A Declaration of all the inventors except Mr. Koltunov.
2. The Petition fee in the amount of \$130.
3. The Declaration of Ms. Tova Faynero, showing the facts relating to

Mr. Koltunov's refusal to sign. Ms. Tova Faynero indicated that she provided Mr. Koltunov with the application papers on October 25, 2000; and Mr. Koltunov acknowledged receipt of

the application papers in writing, but refused in writing on November 12 to execute the application. Mr. Koltunov's November 12 letter was attached to Ms. Faynero's Declaration.

4. The last known address of Mr. Koltunov was stated to be: 10/20 Avivim St., Holon, Israel.

However, on February 26, 2001, Applicants received a Decision on Petition, stating that the November 30, 2000, Petition had been dismissed. The Decision stated that Applicants satisfied requirements (1)-(3) for grant of the Petition, but that requirement (4) was not satisfied. In particular, the Decision argued that the Declaration (item 1 above) was illegible, and that it was incomplete as including two pages numbered two.

On April 26, 2001, Applicants filed a Renewed Petition Under 37 C.F.R. §1.47(a) in response to the Decision. In the Renewed Petition, Applicants requested that the November 30, 2000, Petition be renewed, and that the original Declaration be accepted on behalf of all of the named inventors. In the Renewed Petition, Applicants acknowledged that the Declaration included facsimile copies of pages and two pages numbered two, but explained the circumstances of the Declaration and argued that the Declaration is not so illegible as to prevent entry of the Declaration in this application. For the convenience of the Patent Office, attached hereto is a copy of the Renewed Petition with the attachments, along with a copy of the PTO date-stamped postcard receipt.

Thus, Applicants timely filed a response to the Decision, and the holding of abandonment should be withdrawn.

Furthermore, on May 11, 2001, Applicants filed a Request for Withdrawal of Renewed Petition Under 37 C.F.R. § 1.47(a) and Submission of Complete Executed Declaration/Power of Attorney. In that paper, Applicants explained that they had since obtained the signature of the non-signing inventor, and filed a complete executed Declaration/Power of Attorney signed by all of the inventors. Accordingly, it was believed that the Renewed Petition was moot, and entry of the complete Declaration should have

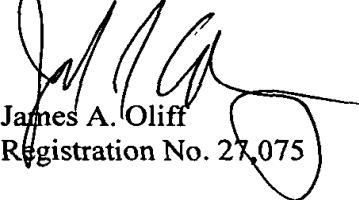
resolved any deficiencies in the application. For the convenience of the Patent Office, attached hereto is a copy of the Request with the attachments, along with a copy of the PTO date-stamped postcard receipt.

Thus for this additional reason, the holding of abandonment should be withdrawn.

Applicants believe that no fee is required for entry of these papers. However, the U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 15-0461 in the amount necessary to effect entry and consideration of this paper and the original Petition.

Should there by any questions regarding this matter, please contact the undersigned at the telephone number listed below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA

Enclosures:

Renewed Decision on Petition
4/26/01 PTO Date-Stamped Postcard Receipt
Request for Withdrawal of Renewed Petition Under 37 C.F.R. § 1.47(a) and
Submission of Complete Executed Declaration/Power of Attorney
5/11/01 PTO Date-Stamped Postcard Receipt

Date: June 21, 2001

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